

**Beth McCullough**

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**From:** Moriarty, Matthew <Matthew.Moriarty@TuckerEllis.com>  
**Sent:** Tuesday, January 07, 2014 7:30 AM  
**To:** Kimberly A. Dougherty  
**Cc:** Greer, Marcy; Ben Gastel; C.J. Gideon; Chris Tardio; Daniel Clayton; Daniel M. Rabinovitz; Edgar Taylor, III; Elizabeth J. Cabraser (ecabraser@lchb.com); Frederick H. Fern; George Nolan; Gerard Stranch; J. Kyle Roby; Jason Denton; John O. Belcher; Joseph P. Thomas; Kristin Johnson Parker; Kurt W. Maier; Larry Lamont Crain; Marc Lipton; Mark Chalos; Mark Zamora; Moriarty, Matthew; Melinda L. Thompson; Nathan Hunt; Nicki Samson; Patrick Fennell; Paul J. Krog; Randall Kinnard; Rebecca Blair; Dean, Richard; Robert H. Gaynor; Thomas Sobol; Coffey, Thomas W.; William Daniel Leader, Jr.; William Hance Lassier, Jr.; Fredric Ellis; Puig, Yvonne K.; Sarah Kelly (SKelly@nutter.com); 'lhollabaugh@babco.com' (lhollabaugh@babco.com); Hoffman, Eric  
**Subject:** RE: NECC: further meet and confer re discovery

Kim,

Thank you for the invitation, below. On behalf of Ameridose, we respectfully decline.

We do not believe it is necessary or appropriate for us to participate given: 1) the status of the settlement negotiations, as acknowledged by the PSC as recently as yesterday; 2) the stay of discovery against our clients, which we will advocate be continued in place; and 3) we have no dispute before Judge Boal which requires a meet & confer.

As we have said in the past, if and when there is discovery against Ameridose, we will take up the matter of deposition, ESI and other protocols at that time.

Thank you for your consideration. Please call me if you have any questions. We are having severe cold weather here, many people are not working and my own furnace is struggling, so please excuse me if I do not get back with you right away today.

**Matthew P. Moriarty | Attorney | Tucker Ellis LLP**

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**From:** Kimberly A. Dougherty [<mailto:KDougherty@myadvocates.com>]

**Sent:** Monday, January 06, 2014 2:38 PM

**To:** Greer, Marcy; Ben Gastel; C.J. Gideon; Chris Tardio; Daniel Clayton; Daniel M. Rabinovitz; Edgar Taylor, III; Elizabeth J. Cabraser ([ecabraser@lchb.com](mailto:ecabraser@lchb.com)); Frederick H. Fern; George Nolan; Gerard Stranch; J. Kyle Roby; Jason Denton; John O. Belcher; Joseph P. Thomas; Kristin Johnson Parker; Kurt W. Maier; Larry Lamont Crain; Marc Lipton; Mark Chalos; Mark Zamora; Moriarty, Matthew; Melinda L. Thompson; Nathan Hunt; Nicki Samson;

Exhibit I

Patrick Fennell; Paul J. Krog; Randall Kinnard; Rebecca Blair; Dean, Richard; Robert H. Gaynor; Ryan A. Ciporkin; Thomas Sobol; Coffey, Thomas W.; William Daniel Leader, Jr.; William Hance Lassier, Jr.; Fredric Ellis  
**Cc:** Puig, Yvonne K.; Sarah Kelly ([SKelly@nutter.com](mailto:SKelly@nutter.com)); 'lhollabaugh@babco.com' ([lhollabaugh@babco.com](mailto:lhollabaugh@babco.com)); Hoffman, Eric  
**Subject:** RE: NECC: further meet and confer re discovery

I have heard from some of you that tomorrow at 11am EST works and heard no objections. Please add parties who you think may be interested in participating on this call. Please dial:

866-415-4341  
Code: 389-954-5863

Thank you and looking forward to talking with you all tomorrow. If there are redlines to the ESI and Deposition Protocols, please send them by the COB today so that we have a chance to review before the call tomorrow. Thank you.

Best, Kim

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\*\*\* PLEASE NOTE OUR NEW ADDRESS

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**From:** Kimberly A. Dougherty  
**Sent:** Thursday, January 02, 2014 11:09 PM  
**To:** Greer, Marcy; Ben Gastel; C.J. Gideon; Chris Tardio; Daniel Clayton; Daniel M. Rabinovitz; Edgar Taylor, III; Elizabeth J. Cabraser ([ecabraser@lchb.com](mailto:ecabraser@lchb.com)); Frederick H. Fern; George Nolan; Gerard Stranch; J. Kyle Roby; Jason Denton; John O. Belcher; Joseph P. Thomas; Kristin Johnson Parker; Kurt W. Maier; Larry Lamont Crain; Marc Lipton; Mark Chalos; Mark Zamora; Matthew P. Moriarty; Melinda L. Thompson; Nathan Hunt; Nicki Samson; Patrick Fennell; Paul J. Krog; Randall Kinnard; Rebecca Blair; Richard A. Dean; Robert H. Gaynor; Ryan A. Ciporkin; Thomas Sobol; Thomas W. Coffey; William Daniel Leader, Jr.; William Hance Lassier, Jr.; Fredric Ellis  
**Cc:** Puig, Yvonne K.; Sarah Kelly ([SKelly@nutter.com](mailto:SKelly@nutter.com)); 'lhollabaugh@babco.com' ([lhollabaugh@babco.com](mailto:lhollabaugh@babco.com)); Hoffman, Eric  
**Subject:** NECC: further meet and confer re discovery

All,

Per the Court's order requiring the parties to further meet and confer on discovery related matters transferred to Magistrate Boal, members of the PSC propose a call in advance of next week's hearing to take place on 1/7/14 at 11 EST. Please suggest an alternative time if this does not work for the majority. Thank you.

As a reminder, the PSC awaits comments and edits on the proposed Deposition and ESI Protocols.

Please add anyone who may have been inadvertently left off of this email. Thank you.

Best, Kim

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**\*\*\* PLEASE NOTE OUR NEW ADDRESS**